

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

MICHAEL RAY HUGHES,

Plaintiff,

v.

CIVIL ACTION NO. 3:19-0606

CABELL COUNTY, WEST VIRGINIA;
CABELL COUNTY MAGISTRATE COURT CLERK;
WESTERN REGIONAL JAIL; and
ADMINISTRATOR, Western Regional Jail,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant Defendants' Motions for Dismissal (ECF Nos. 14, 19, 28); deny Defendant Cabell County, West Virginia's Motion to Deem Their Motion to Dismiss Second Amended Complaint as Unopposed (ECF No. 31); dismiss the complaint as amended, with prejudice (ECF Nos 2, 7, 8); and remove this matter from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **GRANTS** Defendants' Motions for Dismissal (ECF Nos. 14, 19, 28); **DENIES** Defendant Cabell County, West Virginia's Motion to Deem Their Motion to Dismiss Second Amended Complaint as Unopposed (ECF No. 31); **DISMISSES** the complaint as

amended, **with prejudice** (ECF Nos 2, 7, 8); and **REMOVES** this matter from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: May 6, 2020

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE